

REMARKS**STATUS OF THE CLAIMS**

Claims 49 – 51, 56 – 58, 67, 69 – 72, 75, and 76 were pending. Claims 49, 56, 57 and 75 have been amended. Following entry of the amendments claims 49 – 51, 56 – 58, 67, 69 – 72, 75, and 76 will be pending and at issue.

SUPPORT FOR AMENDMENTS TO THE CLAIMS

The claims have been amended to delete reference to SEQ ID NOS for the rat T1R3 and rat T1R2. The claims have also been amended to recite greater than 93% amino acid sequence identity to SEQ ID NO: 20 (mouse T1R3) and/or greater than 93% amino acid sequence identity to SEQ ID NO: 23 (mouse T1R3) and/or greater than 92% amino acid sequence identity to SEQ ID NO:8 (mouse T1R2). Support for the amendments can be found throughout the specification, e.g., the claims as filed and, e.g., paragraph [0062] of the published instant application. The amendments to the claims therefore add no new matter and entry is respectfully requested.

ALLOWED CLAIMS

Applicant acknowledges the Examiner's allowance of claim 76.

REJECTION UNDER 35 U.S.C. § 102

Claims 49, 50, 51, 56, 57, 58, 67, 69-72 and 75 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by US Patent Publication 20030232407 to Zoller et al, published December 18, 2003 ("Zoller"). The Examiner stated that "The rT1R2 disclosed by Zoller is 100% identical to the instant SEQ ID NO:7 ... The SEQ ID NO is 17 ... Attached is an alignment between Zoller's SEQ ID NO: 17 and the instant SEQ ID NO: 8 showing them to be 91.9% identical."

The Examiner also stated that "Also, the rTIR3 is disclosed as SEQ ID NO: 14 in the 60284547 application."

In an earlier office action dated October 13, 2006, the Examiner stated that "... the rTIR3 disclosed by Zoller is 100% identical to the instant SEQ ID NO: 25. The rTIR3 is 92% and 93% identical to the instant murine SEQ ID NO:20 and 23, respectively." In the sequence

comparison provided by the Examiner, SEQ ID NO:20 of the instant application was shown to be 92.6% identical to the rT1R3 disclosed by Zoller.

Without agreeing with the Examiner's position, Applicant has amended the claims to greater than 93% amino acid sequence identity to SEQ ID NO: 20 and/or greater than 93% amino acid sequence identity to SEQ ID NO: 23 and/or greater than 92% amino acid sequence identity to SEQ ID NO:8. Withdrawal of the rejection is respectfully requested.

CONCLUSION

Withdrawal of the pending rejections and reconsideration of the claims are respectfully requested, and a notice of allowance or entry of an appropriate office action is earnestly solicited. If the Examiner has any questions concerning this Response, the Examiner is invited to telephone Applicant's representative at (415) 875-2316.

Respectfully submitted,
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